

REMARKS

Claims 1, 4, 5, 8-16 and 18-20 are presently pending in the application. Claim 3 has been cancelled, and Claims 21-24 have been withdrawn. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

CLAIM OBJECTIONS

Claims 1, 3-5 and 8-12 were objected to because the Examiner found the language in the preamble of Claim 1 unclear. A minor amendment has been made to the preamble to Claim 1, which is believed to remove this ground for objection. Reconsideration is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Miller (U.S. Patent No. 3,738,649), Shi (U.S. Patent No. 5,104,363), Sterling (U.S. Patent No. 4,838,547), and Gasquez (U.S. Patent No. 6,048,292).

It will be noted that Claim 3 was merely objected to, and the substance of Claim 3 has been inserted into independent Claim 1. The Examiner will also note that the limitation to "trombone spring" has been broadened to simply "spring." Minor additional language has been added to the Claim 3 limitation to clarify that the seat occupant is working against the resistance provided by the spring.

It is believed that the above-described rejections under 35 U.S.C. § 102(b) have been rendered moot in view of the amendment to Claim 1. Reconsideration is therefore respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner stated that Claims 3-5, 12-16 and 18-20 would be allowable if rewritten in independent form.

Claim 3 has been cancelled, the limitations of which have been substantially incorporated into amended Claim 1. Claim 4 has been amended to depend on amended Claim 1, and Claim 5 remains dependent on amended Claim 4. Also, Claim 12 remains dependent on amended Claim 1. Therefore, Claims 4, 5 and 12 should now be in condition for allowance.

Claim 13 is already written in independent form, and Claims 14-16 and 18 depend, directly or indirectly, thereon. Also, Claim 19 is already written in independent form, and Claim 20 depends thereon. Therefore, the undersigned respectfully submits that Claims 13-16 and 18-20 should already be in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

By: 
Mark D. Elchuk, Reg. No. 33,686

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HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

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